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FACSIMILE TRANSMISSION

Date: January 3, 2006
To: United States Patent & Trademark Office
Fax: 571-273-8300
From: Mark Spolyar

Number of Pages (including cover sheet): 21

RE: Re-Transmission of Petition for Extension of Time Under 37 CFR
1.136(a)
U.S. Serial No. 10/039,992 Filed: December 31, 2001

PLEASE NOTE THAT THIS IS A RE-TRANSMISSION PURSUANT TO
EXAMINER REQUEST PER OFFICE COMMUNICATION OF 12/27/2005
ATTACHED. THE EXTENSION OF TIME FEE HAS ALREADY BEEN PAID.

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8

Facsimile Number: 571-273-8300

Date: January 3, 2006

I hereby certify that this correspondence, and the papers referred to
herein, are being facsimile transmitted to the United States Patent and
Trademark Office on the date indicated above.



Mark J. Spolyar
Reg. No. 42164

Papers Included Herewith:

1. Fax Cover Sheet (1 page);
2. PTO Office Communication (2 pages); and
3. Amendment (18 pages).

6533/53843

UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/039,992 | 12/31/2001 | Michael J. Quinn | 004683.P009 | 8595 |
| 30505 | 7590 | 12/27/2005 | | |
| MARK J. SPOLYAR 38 FOUNTAIN ST. SAN FRANCISCO, CA 94114 | | | EXAMINER | CHACE, CHRISTIAN |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2189 | |

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
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| EXAMINER |
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| ART UNIT | PAPER |
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20051222

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

NOTICE OF NON-RESPONSIVE AMENDMENT

This Office action has been sent in response to amendment filed 26 October 2005. Unfortunately, it appears there was a fax machine malfunction, rendering missing most of at least what was labeled "page 17" of the submission (hence any responses therein could not be considered). Accordingly, as examiner is unsure how much information may be missing from the submission, and this was a bona fide attempt to respond to the previous Office action, examiner has set a 1-month time period to resubmit the amendment previously submitted, in its entirety, so examiner may take into account any and all information applicants wish to have presented.

Examiner sincerely apologizes for any inconvenience as a result of this malfunction, and encourages applicants to contact him if there are any questions, comments, or concerns at 571.272.4190.

A handwritten signature in black ink, appearing to read "Christian P. Chace".

Christian P. Chace
 Primary Examiner
 Art Unit: 2189